



DEVAL L. PATRICK
GOVERNOR

TIMOTHY P. MURRAY
LT. GOVERNOR

ANDREA J. CABRAL
SECRETARY

The Commonwealth of Massachusetts
Executive Office of Public Safety and Security
Department of Fire Services

P.O. Box 1025 ~ State Road

Stow, Massachusetts 01775

(978) 567~3100 Fax: (978) 567~3121

www.mass.gov/dfs



STEPHEN D. COAN
STATE FIRE MARSHAL

MEMORANDUM

To: Heads of Fire Department

From: Stephen D. Coan
State Fire Marshal

Date: May 1, 2013

RE: 527 CMR 33.00: Hazardous Materials Process or Processing

As we approach the second permit deadline under 527 CMR 33.00, I am sending this memorandum knowing some departments have already received applications for the Category 5 processes covered by 527 CMR 33.00: Hazardous Material Process or Processing. As we approach the upcoming deadline on 527 CMR 33.00 for both Category 4 and Category 3 process the impact of the regulation will be most noticeable. We encourage you to review facilities within your community and be sure they are aware of the regulation.

As we approach the deadlines, many questions are surfacing around the broad definition used within the regulation. As a result, the Board of Fire Prevention Regulations has worked actively with my staff to create a "Frequently Asked Questions" section. This is posted on the DFS website at: [FAQ](#). In reviewing this document, it will assist you in determining if the activity is covered by the regulation. If you have further questions you can contact Timothee.Rodrique@state.ma.us directly who will work with the Board on further FAQ's.

Application Deadlines

As a reminder, the following table summarizes the dates and provides a summary of the requirements that are coming.

Category 5	Vessel with a process covered by OSHA PSM or EPA RMP programs	1/1/2013
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Category 4	Vessel > 300 gallons not covered by OSHA PSM or EPA RMP	6/1/2013
Category 2 and 3	Vessel > 60 gallons but less than 300 gallons or a H occupancy due to vessel	1/1/2014

Varying Requirements by Category

Category 5	Permit and verification of compliance with OSHA PSM and/or EPA RMP, as applicable
Category 4	Permit and verification of compliance with Category 4 Limited Process Safety Program
Category 3	Permit and verification of compliance with Category 3 Hazard Evaluation
Category 2	Permit and verification of compliance with OSHA hazardous communication and lab safety requirements, as applicable

Training

Past trainings are available on the DFS web site:

<http://www.mass.gov/eopss/agencies/dfs/dfs2/osfm/fire-prev/fire-prevention-training.html>

We encourage the use of these resources. As we approach the next application date, our office is working with the Fire Prevention Association of Massachusetts to include a review of our round two training and several case studies. In the upcoming quarterly training programs (posted on MFA web site: http://mfa.chs.state.ma.us/mfa_courses/courseAndSectionsList.asp) we will include a case study on 527 CMR 33.00.

Resources

The Department of Fire Services encourages you to review applications as they arrive into your department. It is encouraged to have a dialogue with companies to become familiar with the facilities and operations. This is a great opportunity for pre-planning with departments and facilities. At some of the true chemical facilities pre-planning is paramount to ensure the safety of fire personnel, as well as the public. Proper shutdown procedures must be followed to avoid a catastrophic event in the event of improper shutdown.

If you have questions regarding 527 CMR 33.00, you can contact the Code Compliance and Enforcement Officer or Fire Protection Engineer that covers your town. If using these resources and there are still outstanding issues; the use of the third party consultant for Category 3 and 4 facilities should be considered. In the event of complicated facilities or concerns from the third party consultants, the Department of Fire Services has a limited ability to work with a state contracted engineering firm to ensure compliance.

If you have further questions please contact the Code Compliance and Enforcement Unit or Fire Protection Engineers by calling (978) 567-3375 or in Western, Massachusetts at (413) 587-3181.